

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NAIM SAYODI, RAY SANCHEZ, and ABU OMAR, on  
behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

HIGHGATE HOTELS, L.P., and KNICKERBOCKER  
HOTEL,

Defendants.  
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**NOTICE OF REMOVAL**  
**UNDER 28 U.S.C. §1441**

Case No. 1:18-cv-10989

**TO: THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Highgate Hotels, L.P. and Knickerbocker Hotel (collectively “Defendants”) by  
their attorneys, Meltzer, Lippe, Goldstein & Breitstone, LLP respectfully state as follows:

1. On or about November 6, 2018, Defendants were served personally with  
the Complaint in the above-referenced matter which is currently pending in the Supreme Court  
of the State of New York, New York County, Index No. 160242/2018, naming Defendants and  
purporting to give notice of the nature of the claims for relief upon which the action is based. A  
copy of Plaintiffs’ Summons and Complaint, dated November 2, 2018, is annexed hereto as  
Exhibit “A.”

2. The above-captioned action is a civil action of which the United States  
District Court has original jurisdiction pursuant to 28 U.S.C. §1331, in that it alleges a claim  
which arises under the laws of the United States alleging violations of the Fair Labor Standards  
Act. This action is therefore removable to the District Court without regard to the citizenship or  
residence of parties, pursuant to 28 U.S.C. §§ 1441(b) and 1443.

3. Specifically, Plaintiffs bring this lawsuit claiming Defendants' acts violated the Fair Labor Standards Act, 29 U.S.C. §§ 203(m) and (t). See Exhibit A, ¶¶ 1, 64-71.

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(a)(2) because a substantial portion of the events and acts alleged occurred in this Venue and because the United States District Court for the Southern District of New York sits in the district and division embracing the place where the State Court action is pending.

5. This Notice of Removal is timely because it is being filed within thirty (30) days of receipt of the Complaint setting forth the claims for which relief upon which such action or proceeding is based, as set forth in 28 U.S.C. §1446(b).

6. Defendants filed a copy of this Notice of Removal with the Clerk of the state court in which the action has been pending, as set forth in 28 U.S.C. §1446(d).

7. In filing this Notice of Removal, Defendants do not waive any defenses that may be available to them.

**WHEREFORE,** Defendants respectfully request the above-referenced action be removed from the Supreme Court of the State of New York, New York County to the United States District Court for the Southern District of New York for trial and determination as provided by law, that the District Court enter such orders and issue such process as may be proper to bring before it copies of all records and proceedings in said State Court action, and thereupon proceed with this civil action as if it had originally been commenced in the United States District Court.

Dated: November 26, 2018

**MELTZER, LIPPE, GOLDSTEIN &  
BREITSTONE LLP**

By: 

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